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FROM: Rodney D. DeKruif, Esq.  
DATE: April 25, 2005

REQUESTED BY Nanci Musich  
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ATTORNEY NO. 642  
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COMMENTS: Restriction Requirement

Application No. 10/731,738  
Filing Date: December 9, 2003  
First Named Inventor: Brian K. Shoichet  
Art Unit: 1626  
Attorney Docket No. 7375

MW1190953RDD:NM 04/22/05

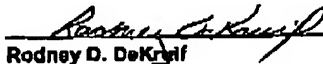
PTO/SB/21 (09-04)

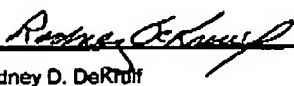
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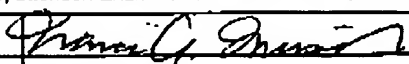
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/731,738
	Filing Date	December 9, 2003
	First Named Inventor	Brian K. SHOICHET
	Art Unit	1626
	Examiner Name	Susannah E. Lee
Total Number of Pages in This Submission	Attorney Docket Number	7375

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply—Response to Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> Authorization is hereby given to charge or credit Deposit Account No. <u>18-0882</u> for any fee deficiency or overpayment. <div style="text-align: right;">           Rodney D. DeKruif       </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Reinhart Boerner Van Deuren s.c.		
Signature			
Printed Name	Rodney D. DeKruif		
Date	April 25, 2005	Reg. No.	35,853

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO facsimile number 571-273-8300, addressed to: Commissioner for Patents, attention Examiner Susannah E. Lee, on the date shown below.			
Signature			
Typed or printed name	Nanci A. Musich	Date	April 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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MW1190945RDD:NM 04/22/05

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Reinhart Boerner Van Deuren s.c.

By



Nanci A. Musich

Date: April 25, 2005

**PATENT**

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**APR 25 2005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Brian K. Shoichet	)	Group Art Unit: 1626
	)	
Serial No.: 10/731,738	)	Examiner: Susannah E. Lee
	)	
Filed: December 9, 2003	)	Attorney Docket No. 7375
	)	
For: NANOMOLAR BETA-LACTAMASE	)	
INHIBITORS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Responsive to the Restriction Requirement of March 25, 2005, Applicants hereby elect the invention of Group I, Claims 28-34, and for purposes of initial examination, those compound(s) where R<sub>1</sub> is a thiophen-2-yl moiety and R<sub>2</sub> is a phenyl moiety.

Applicants believe this election to be timely, with no fees due. However, please consider this submission a conditional petition for an extension of time, with authorization to charge Deposit Account No. 18-0882 for any fee deficiency.

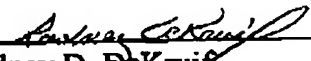
Favorable consideration of the application is respectfully requested. The Examiner

MW1190947RDD:NAM 04/22/05

Brian K. Shoichet  
January 13, 2005

is invited to contact the undersigned should any issue remain. Thank you for your help and consideration.

Respectfully submitted,

By:   
Rodney D. DeKruif  
Attorney for Applicants  
Reg. No. 35,853

Date: April 25, 2005

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